Application No.: 09/634,416 Docket No.: 99-466

REMARKS

Claims 1-22 are pending. Claims 1, 8, 12-14, and 20 are independent claims. In the Office Action, claims 1-19 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. 6,236,981 ("Hill") in view of U.S. 6,792,438 ("Wells"). Claims 20-22 are rejected under Section 103(a) as allegedly unpatentable over Hill in view of U.S. 5,677,953 ("Dolphin"). Other secondary references are mentioned on page 4 of the Office Action, including U.S. 6,234,558, purported to be issued to Wilber. In fact, U.S. 6,234,558 was issued to Curtindale, and appears to be wholly unrelated to the subject matter of the present application. Accordingly, it appears that the Examiner did not intend to cite U.S. 6,234,558. Moreover, U.S. 6,234,558 does not appear to have been previously cited in the application, nor did the Examiner include it on the Form PTO-892 (Notice of References Cited) appended to the Office Action. If the Examiner did in fact intend to cite a patent to Wilber that the Examiner believes to be relevant to the present application, Applicant requests that the Examiner identify this patent in the next Office Action.

Claims 1, 8, and 12-14 are amended herein to clarify the differences between the claims and the newly cited prior art. For the reasons stated below, all pending claims are believed to be in condition for allowance.

Hill is the primary reference cited for the rejection of all pending claims. Hill discloses a digital payment system that uses digitally encoded random numbers in the form of tokens that a user may transfer to an on-line merchant and thereby spend. (Abstract.) Hill's random numbers are "generated . . . in blocks of 256K (=2,097,152 bits)" that are used to populate a random number database in which "each entry . . .contains a random sequence of 64 bit values." (Col. 10: 11-12, 25-27.) Entries in the random number database are used to construct tokens. (Col. 10: 10-11.) Tokens may then be reconstructed by knowing their size and the value of a start offset in a random number database. (Col. 9: 47-55.) Tokens received by the payment server may thereby be validated. (Col. 11: 19-45.) As explained below, the Applicant's independent claims are distinguishable from Hill's digital payment system in several important respects.

Claims 1-19

Independent claim 1 requires "a download task executed by the processor for providing to a user any desired number of random bits requested by the user." Independent claim 8

similarly requires "transmitting any desired number of the random bits requested by a user over the network." Independent claim 12 requires "a memory coupled to the processor for storing machine readable instructions used by the processor to format the random bit stream for distribution to the network connection in response to a user request for any desired number of the random bits." Independent claim 13 requires "transmitting any desired number of random bits requested by a user in the machine readable random bit stream over a network." Independent claim 14 requires "transmitting to the user over a network any desired number of random bits requested by the user." Support for this amendment can be found in the specification, at least at page 12: "The random bit generator can create random bit streams of any desired length."

Hill does not teach or suggest the foregoing limitations of claims 1, 8, and 12-14 at least because Hill's digital payment system receives random numbers in blocks of a size predetermined to be, and therefore fixed at, 256K. (Col. 10: 25-27.) Moreover, Hill does not teach or suggest a user request for these blocks of random numbers; rather, Hill's random number database is populated by a computer program. (Col. 10: 14-24.) Thus, Hill does not receive user requests for random bits at all, much less for "any desired number of random bits." In fact, Hill actually teaches away from receiving a user request for "any desired number of random bits" because Hill's system requires a fixed number of random bits (2,097,152, to be precise) to be sent in a block of fixed size to Hill's random number database, and "any desired" number is not fixed because it can vary from user to user, and can vary from one request to the next with the same user.

At least because neither Hill nor any other prior art of record teaches or suggests the foregoing claim limitations, independent claims 1, 8, 12, 13, and 14 are in condition for allowance, as are claims 2-7, 9-11, and 15-19, depending respectively from claims 1, 8, and 14.

Claims 20-22

Independent claim 20 requires in part:

> a first window for displaying information about a random bit stream awaiting distribution over a network;
> a second window for displaying diagnostic information regarding the random bit stream; and
> a window manager for controlling the layout of, and communication of data to, the first window and the second window while present for viewing on the display device.

Applicant respectfully submits that, contrary to the Examiner's assertion (Office Action, at 8), none of the foregoing claim limitations are taught or suggested by either Hill or the alleged combination of Hill and Dolphin.

The portion of Hill cited by the Examiner as allegedly teaching "a first window for displaying information about a random bit stream awaiting distribution over a network" in fact teaches no more than a user "visit[ing] the QuickPay web site," to "set up an account" and thereby receive tokens. However, Hill contains no teaching or suggestion that the user even knows that tokens containing random bits are received, much less does Hill teach or suggest "displaying information about a random bit stream awaiting distribution over a network."

Further, the portion of Hill cited by the Examiner as allegedly teaching "a second window for displaying diagnostic information regarding the random bit stream" in fact teaches no more than a window that "gives a visual indication of the number of tokens remaining" on a client machine that a user may use for payment in subsequent transactions. (Col. 8: 27-28.) In other words, Hill's "visual indication" has absolutely nothing at all to do with a random bit stream.

The Examiner appears to be taking Official Notice that a "window menu is very well known in the art for interacting between several windows." (Office Action, at 7.) Applicant presumes that the Examiner meant to refer to a "window manager" as is recited in claim 20. The Examiner also appears to be taking Official Notice for one of ordinary skill to have implemented a window manager for the first and second windows required by claim 20. (Id. at 7-8.) Accordingly, Applicant seasonably requests support for the taking of Official Notice, as provided by 37 CFR 1.104(d)(2) and MPEP § 2144.04. If documentary evidence of such Official Notice is not provided in the next Office Action, Applicant respectfully submits that the rejection of claim 20 should be withdrawn.

Moreover, the Examiner appears to concede that Hill in fact does not teach the foregoing limitations of claim 20, inasmuch as the Office Action states that "Hill does not provide drawings that illustrate the transaction interface to clearly implement the invention." (Office Action, at 8.) The Examiner therefore contends that "Dolphin in an analogous art discloses . . . a window for displaying information about a random bit stream awaiting distribution over a network." (Id. at 8.) The Examiner further contends that Dolphin teaches the "second window"

recited in claim 20. (Id.) However, Dolphin nowhere mentions or even suggests random bits or a random bit stream. Indeed, Dolphin is directed to controlling access to data on "high density removable media." (Abstract.) Thus, Dolphin's Figures 4 and 8-10, cited by the Examiner (Office Action, at 8), illustrate no more than windows that include information concerning the transfer of such data, and contain no teaching or suggestion of windows containing information about a random bit stream or diagnostic information about the bit stream, as required by claim 20.

Accordingly, the Examiner has failed to state a *prima facie* case for the combination of Hill and Dolphin at least because Dolphin fails to teach the recited first window. Moreover, the Office Action does not provide support in the prior art of record for any motivation to combine Hill and Dolphin, nor does the Office Action provide any support for a reasonable expectation of success in attempting to combine Hill and Dolphin. Thus, the Examiner has failed in at least three independent ways to state a *prima facie* case of obviousness regarding claim 20. Further, to the extent that the Examiner is taking Official Notice for the alleged motivation to combine Hill and Dolphin, Applicant seasonably requests support for the taking of Official Notice, as provided by 37 CFR 1.104(d)(2) and MPEP § 2144.04. If documentary evidence of such Official Notice is not provided in the next Office Action, Applicant respectfully submits that the rejection of claim 20 should be withdrawn.

For at least the foregoing reasons, independent claim 20, and also claims 21-22 depending therefrom, are in condition for allowance.

Application No.: 09/634,416 Docket No.: 99-466

CONCLUSION

Applicant respectfully submits that all pending claims are distinguished over the cited prior art and are in condition for allowance. If the Examiner has any questions or issues relating to Applicant's response, he is encouraged to telephone the undersigned representative.

Any fees associated with the filing of this paper should be identified in an accompanying transmittal. However, if any additional fees are required in connection with the filing of this paper, permission is given to charge Deposit Account No. 07-2347, from which the undersigned is authorized to draw. To the extent necessary, a petition for extension of time under 37C.F.R. §1.136 is hereby made, the fee for which should be charged to this deposit account.

Respectfully submitted,

Date: September 28, 2005

By: Joel Wall

Joel Wall,
Reg. No. 25,648
Verizon Corporate Services Group Inc.
C/O Christian R. Andersen
600 Hidden Ridge Drive
Mailcode HQE03H14
Irving, TX 75038
Telephone: 972-718-4800

Customer No.: 32127